

Making a Difference Magazine

A Quarterly Magazine of the Georgia Council on
Developmental Disabilities

Real Homes. Real Careers. Real Learning.
Real Influence. Real Support.

Summer 2016

Volume 17, Issue 1

On the Cover: Traveling with a disability has come a long way, so our cover features people with disabilities at destinations around the globe – Australia, Korea, Iceland and the US. Wherever you can imagine, you can probably get there. (See story on page 6.)

Top left, bottom left and large cover photos courtesy of © Curb Free with Cory Lee

On the back cover: The Disability VOTE – Feel the Power! reminds people with disabilities to register to vote in this year’s upcoming elections and make your voices heard. Your lives depend on it! (See story on page 18.)

The Georgia Council on Developmental Disabilities, a federally funded state agency, works to bring about social and policy changes that promote opportunities for persons with developmental disabilities and their families to live, learn, work, play and worship in Georgia communities.

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valerie.suber@gcdd.ga.gov, subject line: **Letters to the**

Editor.

How to Reach Us

Letters to the Editor

Letters should include the writer's full name, address, phone number, and may be edited for the purpose of clarity and space.

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GCDD VIEWPOINT

Change For The Better

On October 29, 2010, the Department of Behavioral Health and Developmental Disabilities agreed to close all

state funded institutions in Georgia and support individuals living in the community. This was to be accomplished by July 1, 2015.

During those five years, many people did move into the community and some individuals who moved died for a variety of reasons. For some people, the State did a good job setting up support systems and other individuals were placed with providers not prepared to support the individual. Georgia did not meet its obligation under this settlement. We have been given an extension until June 30, 2018 to move the remaining individuals with developmental disabilities from Gracewood State Hospital into the community. We are on the path to being among those states that no longer operate institutions.

The policy decisions under the administration of President Obama have propelled settlement with the Department of Justice (DOJ) and efforts to create more opportunities to

be part of a community. The DOJ and Center for Medicare and Medicaid Services have strongly advocated for the kinds of policies that result in people being a part of their community and not isolated in institutional settings.

In less than four months, we will be voting for a new president and other elected officials. You can make the decision to help continue these policies by registering to vote, asking questions and voting. People with disabilities are the second largest voting bloc and could easily be the largest. Ask questions of candidates about support for these kinds of policies. Do we want to continue the effort to move people out of institutions and into the community? Do we want to see more people working in the community or remaining in workshops? Will increased funding be available to address the growing waiting list for home and community-based services?

Make sure you ask these questions when candidates knock on your door or want to shake your hand. Finally, make sure you vote. As Justin Dart once said, “Vote as if your life depended on it because it does.”

This edition of *Making a Difference* is focused on these issues: the extension of the DOJ settlement to get people out of institutions; the DOJ effort to compel Georgia to close its psychoeducational system (GNETS) that has resulted in students with disabilities receiving an inferior education; and getting out the vote. In our next issue, we will present the Georgia Council on Developmental Disabilities (GCDD) Five Year Strategic Plan. The plan will focus on continuing many of our current initiatives while creating new efforts to improve the lives of people with developmental disabilities and their families.

We thank those who provided input and for those who didn't there will be chances in the future. Stay tuned!

Remember that GCDD is here to assist you. Check out our website and join our advocacy network so that you can stay informed.

We hope you enjoy reading this magazine and we want to hear from you. Let us know your thoughts and comments about the magazine by writing our editor, Valerie Meadows Suber at valerie.suber@gcdd.ga.gov

Eric E. Jacobson
Executive Director, GCDD

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IN THE NEWS

Local Entrepreneurs Design Mobile App to Rate Accessibility

Brandon Winfield is the CEO and founder of Atlanta-based ParaPerks. The latest mobile app lets a person with

mobility disabilities review restaurants, venues, bars and other spaces based on their accessibility. Users will know where to go and what places to avoid based on their methods of getting around (walker, wheelchair, cane, etc).

After an accident left him paralyzed at age 14, Winfield continued to travel around the country, competing with his wheelchair at sprint kart racing events. In his travels, he faced inconsistency at venues and was unable to know ahead of time if they were easily accessible or followed the Americans with Disabilities Act (ADA) code, thus inspiring ParaPerks.

Currently in development, Winfield with the help of Sayeed Mehrjerdian, business development manager, and Jason Linton, lead developer, aim to reduce the stress of traveling as a mobility-impaired person and create a community across the country.

For more information, visit www.paraperks.com

Source: *Hypepotamus*, Paraperks

ABLE Act Becomes Law In Georgia

In May 2016, Governor Nathan Deal officially made the Achieving a Better Life Experience (ABLE) Act law in the State of Georgia. The ABLE Act will allow certain individuals with disabilities and their families the opportunity to contribute to a tax-exempt savings account that can be used for maintaining health, independence and quality of life.

The ABLE Act allows for families of people with disabilities to save up to \$100,000 in a 529 account for disability-related expenses, similar to the tax-deferred accounts used by families for college education.

Under current law, people with disabilities and their families cannot save more than \$2,000 in their savings

accounts without losing supplemental income from the government. The tax-deferred savings would be used extra expenses not covered by Medicaid like transportation, housing, educational or technological necessities that assist people with disabilities.

As passed, the ABLE Act requires each state to independently establish, implement or contract with other states on the availability of ABLE accounts.

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[**AROUND GCDD**](#)

GCDD Welcomes New Real Communities Director he Georgia Council on Developmental Disabilities (GCDD) welcomed Sumaya Karimi as its new Real Communities organizing director earlier this spring. Karimi, however, is no stranger to Real Communities and the work being done by GCDD across the State.

“I got involved with GCDD when Real Communities started and worked along with [former director] Caitlin Childs and Aarti Sahgal. They were both working in Clarkston and I was working with CDF (Clarkston Development Foundation) Action doing community development in that area. I became interested in Real Communities and their approach to the community and the way they worked,” said Karimi.

Originally from Afghanistan, the trained doctor has been an advocate for inclusion and human rights since she can remember. She worked extensively in women’s and human rights in Afghanistan and when she moved to Georgia in 2000, she got involved in anti-human trafficking and domestic violence efforts.

She then worked with community development and began looking at how to create an infrastructure in society where everyone is valued, the local economy flourishes and life

is improved for all.

To her, promoting inclusion became personally important.

“I see a lot of refugee and immigrant women who are excluded from the mainstream of community life,”

Karimi said. “Exclusion, discrimination and not being valued is something that has personally touched my life. I really wanted to work on something where everyone has a space and a place to be valued, to be respected.”

As the Real Communities director, Karimi hopes to bring people with and without disabilities together to create change. “That is my dream. To create a social fabric where people work together for change and also change the culture of inclusion so all people can increase their value and contributions to the community.”

Update on GCDD’s Five Year Plan

GCDD’s Five Year Strategic Plan is underway. The

Council released its goals, objectives and activities based on feedback it received from the public forums and online survey held earlier this year.

The goals that GCDD will work on over the next five years include:

Education

Employment

Formal and Informal Supports

Real Communities

Self-Advocacy

GCDD opened an online survey from June 7 – July 8, 2016 for public input on the Council’s goals and objectives for the developmental disability community in Georgia. The final plan will be submitted to the federal government’s Administration on Intellectual and Developmental Disabilities in August for approval with implementation to begin October 2016.

GCDD Receives Full Inclusion Award at AAIDD Conference

The Georgia Council on Developmental Disabilities (GCDD) received the American Association on Intellectual and Developmental Disabilities (AAIDD)'s 2016 Full Community Inclusion Award at its annual conference held on June 5-9, 2016 in Downtown Atlanta. GCDD Executive Director Eric Jacobson and Council Chairperson Mitzi Proffitt accepted the award on behalf of Real Communities and GCDD.

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FEATURE

Are We There Yet? Traveling Well With a Disability

By Anne Simpson Boatwright

Your theme this year is The Disability Vote –Feel The Traveling with a disability has come a long way.

Awareness of the needs of the disability community has risen tremendously and there are a growing number of travel agencies specializing in disability services. Easter Seals of America estimates approximately 50 million Americans have disabilities. Not only are physical accessibility features of transport and destinations important for those with disabilities, but understanding from staff is vital in making a travel experience smoother and more enjoyable.

The Americans with Disabilities Act (ADA) of 1990 states that persons with disabilities will receive equal treatment under the law and not be discriminated against. While there are compliance standards to meet general needs, the diversity of disabilities is wide, so it's

paramount that each individual or their parent or caregiver know their condition and specific needs.

Most experts agree that the overarching rule of thumb for traveling with a disability is preparation.

Speech therapist Mickey Rosner, a nearly 30-year employee of Children's Healthcare of Atlanta who works with low verbal and nonverbal children, says, "Don't wing it! There are too many variables in traveling to leave it to chance. With the vast array of local organizations and Internet resources, one has many options to get educated and empowered for traveling and actually having a good time."

The following tips and resources empower travelers with developmental disabilities:

1) Know the triggers. Sounds, smells, types of movement, transitions, any sensory input having a negative effect on the person with a disability is one to be aware of and anticipate in a travel context. Does a certain odor trigger migraines or pain? Do the fluorescent or neon airport lights feel extremely harsh and chaotic? Do unfamiliar foods or food brands cause anxiety? Do crowds of people or multiple noises, and intercom messages overwhelm? These potential problems can be headed off at the pass with a little forethought and planning.

2) Know what is calming. Rosner works with many children on the autism spectrum and notes that they are visual learners, not auditory, which is why verbal reasoning won't work to assuage anxiety or agitation. Using social stories – a written or visual guide illustrating a process, social interaction, behavior or situation – several times before a trip can prevent the traveler from being blindsided by procedures.

3) Have a Plan B ... and then a Plan C. Jan Marie Love, a licensed professional counselor specializing in play therapy with Easter Seals of North Georgia child centers, says, “It’s critical to have several backup ideas for a sudden behavior change,” she advises.

Working with the person’s therapist will be useful in brainstorming a plan and it’s important to remember that each diagnosis is completely individualistic and so is the management plan.

4) If possible, choose the ideal time of day for the main or most difficult part of the journey.

5) If possible, do a dry run. If the destination is local, drive to it and show it to the traveler before the actual vacation or event date.

6) Have a doctor’s note and number with clear diagnoses and necessary medications ready and available. For those with “invisible” disabilities not obvious to travel staff and passengers without disabilities, some reactionary behavior may be perceived as a bad attitude or severe immaturity,

when in reality they're related to the neurological disorder and need to be understood as such. DisabilityTravel.com suggests the doctor's endorsement be on letterhead, lending credibility to the situation.

For Mobility-Related Disabilities

1) Call ahead to all destinations to inform the business or organization of your needs. Informing the booking staff of the disability and accompanying needs will start the process of arranging appropriate accommodations.

2) Make several hard copies of the wheelchair or mobility device information. Dawn Alford, public policy director of the Georgia Council on Developmental Disabilities (GCDD) and seasoned traveler with a neuromuscular disability, suggests keeping it to one page and recommends laminating or encasing them in a plastic covering. The document should include device specifications such as dimensions, weight, its capabilities like "tilt and recline," and how to properly fold and store

it to ensure proper handling, avoid unnecessary damage, and how to repair breakages.

3) Bring spare parts and tools. Alford, who has gotten her preparation down to a science, says wheelchairs can take some real abuse while traveling. If you don't have a companion who knows how to take the chair apart and repair it, the instructions should help with this.

4) Allow extra time. Travel snafus can of course happen with anyone, but it's more complicated when a mobility device is involved. Allow for extra time to make sure devices and other assistive measures are dealt with patiently.

Beyond these basics, there are specific considerations for certain types of travel.

Road Trips

Most families with people with disabilities are much more familiar with issues involved in driving as it's done nearly every day. There are many wonderful places to visit in

Georgia that are equipped to handle visitors with disabilities, from state parks and historic sites to tourist attractions. Many are upgrading to enhance accessibility. According to Wes Robinson, director of Public and Government Affairs for the Department of Natural Resources (DNR), the agency is in the midst of a comprehensive update to their ADA transition plan, evaluating all facilities for strengths and weaknesses, and improving not only access but also programming, and updating websites.

The website (www.georgiaoutdoormap.com) provides a useful interactive map showing all of their state facilities with identifiers of accessible features. Currently, travelers can find ADA accessible facilities for several activities such as trails and boat ramps. Its annual guide for parks has an Accommodations & Activities grid with indications of accessible campsites, cottages, yurts,

restrooms, visitor centers, museums, some trails and fishing and boat ramps. (See sidebar more information.)

Here are ideas to make traveling by car easier:

- 1) Purchase seat belt buckle covers and use the child door locks to keep children with disabilities safely in place without distracting the driver.
- 2) Have a no-mess activity to help pass the time, or an anxiety aid like a fidget ball.
- 3) Create a visual aid to represent how many hours you've traveled and how many are left. Use a timer to help the person count down the hours or minutes until the next stop or activity. This minimizes the perceived endless, limitless space they're in and allows them to chart progress and move through transitions.
- 4) For bus travel, notify the bus line in advance (at least 48 hours.) Most of the major carriers have provisions for people with disabilities, though there are limits with certain accommodations. All motor coach companies in

the United States are required by law to provide accessible transportation to individuals with disabilities. This includes providing assistance to those with vision loss, hearing loss, walking difficulties, those needing a breathing apparatus, those who use a wheelchair, electric scooter or other mobility aids, and passengers with service animals. Independent operators however are more selective in the disability services they provide. There is priority seating at the front, help getting on and off the bus, storage for mobility aids and taking a wheelchair on the bus.

Georgia blogger and self-described travel addict Cory Lee, who has a neuromuscular condition, writes about his travels in his blog, [Curb Free with Cory Lee](#).

In it, he rates the Top Ten accessible places to visit in Georgia:

- 1) Savannah

- 2) World of Coca Cola Museum
- 3) Stone Mountain
- 4) The Fox Theatre
- 5) Callaway Gardens
- 6) Georgia Aquarium
- 7) Centennial Olympic Park
- 8) Tybee Island
- 9) The Varsity
- 10) Mall of Georgia

Air Travel

Much has changed over the decades to make air travel workable for people with disabilities. Alford, who has Spinal Muscular Atrophy, learned through trial and error how to make traveling more efficient and less stressful.

For people with developmental disabilities, preparation is a must to help the traveler have more predictability.

“People don’t realize how much extra planning is involved,” Alford says. “Because I’ve had many experiences, both good and bad, I’ve learned what to do to make things go more smoothly, and I want to share them with readers to help them feel empowered. It makes a world of difference to be proactive.”

The following tips are compiled from her suggestions as well as from online sources:

For people with disabilities who use wheelchairs:

1) Book flights well in advance and fill out forms on airline websites. The Society for Accessible Travel and Hospitality (SATH) suggests travelers seek the airline’s customer service, the hotel concierge or front desk and tour guides to explain the situation. Ask for needed accommodations, such as preferred airline seating (bulkhead or aisle) individualized lodging (quiet or adjoining rooms) and specific dietary requests (i.e., food allergies).

2) Create a one-sheet document with extra copies for multiple personnel on outbound and return flights of wheelchair specs and handling instructions, personal contact information, flight information in case flight attendants have questions after the traveler is already seated on the plane. Not all baggage handlers are aware how heavy some equipment is, and the procedure for storage is not always intuitive either so instructions are necessary.

3) Bring bubble wrap and duct tape to cover fragile parts of the equipment (like joy stick and switches). If the traveler requests, he can take his wheelchair up to the gate and, assuming early arrival, explain his process for ensuring protected equipment parts.

4) Request the crew forward wheelchair handling instructions to the Aircraft Load Agent (ALA) crew at the destination city. They can send it from the departing office to arrival city personnel.

5) Ask the pilot to radio ahead to the arrival city to request the ALA crew manager assign someone to meet them in their plane seat. This adds an extra layer of security. Alford says the captain has a lot of influence – when he radios, it usually happens! Foster that relationship by introducing yourself to the captain upon boarding, make your case, and explain the value of the chair to strengthen the urgency of the situation.

6) Consider applying to TSA (Transportation Security Administration) Precheck[®], a precheck screening program requiring membership that allows passengers an expedited screening if they qualify. This means being exempt from removing shoes, laptops, 3-1-1 liquids, belts or light jackets during the screening process. Certain airlines participate. Applications can be found on the TSA website and membership involves a fee that is good for five years.

7) For problems, call the TSA Cares hotline. A helpline that provides travelers with disabilities and those with

special conditions answers to questions about the security screening process, TSA Cares is to be used before arrival at the airport. It's only available during the business hours listed on the website.

8) Know your rights! Review the Air Carrier Access Act. A free Disability Hotline provided by the Department of Transportation (DOT) provides general information to consumers about the rights of air travelers with disabilities, respond to requests for printed consumer information, and assists air travelers with time-sensitive, disability-related issues that need to be addressed in “real time.”

For intellectual, cognitive and other developmental disabilities:

1) Participate in Wings for Autism program. These free events are produced by The Arc, a national, community-based organization for people with intellectual and developmental disabilities. They partner with an airline,

local city and sometimes a healthcare organization for disabilities to create this experience.

The program essentially is an airport rehearsal, specially designed for individuals with autism spectrum disorders, their families and aviation professionals to alleviate some of the stress experienced when traveling by air. A simulated experience created in a safe and structured learning environment with extra interaction from airline staff acquaints the passengers with the process and help them acclimate to the stimulation before actually taking a trip. Families practice entering the airport, obtain boarding passes, go through security and board a plane.

The plane then taxis around the runway so kids can feel the movement and hear the engine sounds. The first Wings in Georgia was held in April 2016 with another planned for next year.

2) Check the airline's disability page of their website for all disability services.

For travelers with any kind of disability:

1) Book flights well in advance. Notify travel and hospitality staff to help companies serve passengers better, and give them peace of mind. Make a call the day before to confirm plans or correct misinformation.

2) Avoid connecting flights if possible. Flying direct can save unnecessary time and hassle unless getting to airplane bathrooms is impossible; then several flights might be a better option.

IndependentTraveler.com suggests planning at least 90 minutes between flights, two hours if going through customs or security.

For travelers with visual impairment or blindness:

1) Airline: If you book by phone or letter, always inform your travel agent of your disability and if you will be

traveling with a guide dog so that airport personnel and flight attendants can give you the service you need. Be sure that the information is included in your flight booking. This will ensure that the airline is able to offer you the services you need such as pre-boarding, a guided tour of the aircraft and large-type menus for meals. On US domestic flights and in Canada, guide dogs are accepted as a matter of course. However, if traveling abroad, some island states have strict anti-rabies laws which restrict the entrance of all animals. You should determine if any country you intend to visit is one of these by contacting consulates or the airlines.

2) Rail: In the US and Canada you can ask the assistance of the rail company in boarding the train and finding your seat. Give a reasonable amount of time to ensure that there is someone available. The same will normally apply in Europe and other countries which operate modern rail systems.

3) Bus: In North America, Greyhound Bus is the only company operating a nationwide city-to-city service and they will give you every assistance in boarding, announcing your destination, and any other help you may need.

RESOURCES:

Air Travel

Air Carrier Access Act info

The Arc – Wings for Autism

Disability Hotline 1.800.788.4838 (voice) or
1.800.455.9880 (TTY)

TSA Cares: 855.787.2227

TSA notification card

TSA Precheck®

Bus Travel

Greyhound

GotoBus

Megabus

Road Travel

Accessible Journeys: Vacation planner/tour operator for slow walkers, wheelchair travelers and companions

Curb Free with Cory Lee: disability travel blog by Georgia native and self-described travel addict Cory Lee

Georgia State Parks Annual Guide: the DNR's publication

World on Wheelz: Agency specializing in accessible getaways for wheelchair travelers, slow walkers and seniors with special needs

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FEATURE

What the New DOJ Settlement Means for Georgia

By H.M. Cauley

The future of hundreds of Georgians with intellectual and developmental disabilities who reside in state facilities grew just a bit clearer in June when the Department of Justice (DOJ) and the State cobbled out an extension to solve a struggle that's been ongoing since 2010.

The most recent agreement allows Georgia two more years to address issues that impede the progress of moving citizens with disabilities into community or home settings. The new deadline is intended to create more support systems that will not only make transitioning easier, but will also ensure that individuals who do transition are able to draw on a range of resources.

The extension largely addresses the same issues the State faced when it was given its initial deadline of 2015.

“There were not enough support services to serve people in the community, and the State needed to rebuild that

system,” explains Talley Wells, director of the Disability Integration Project for the Atlanta Legal Aid Society. “It was extremely slow. When the State didn’t meet that side of the agreement, the State, the DOJ and friends of the court [groups supportive of the settlement] went back and forth about the level of detail and requirements needed to extend the settlement to ensure the State meets its obligations.”

The extension is just the latest development in a story whose roots go back 17 years, to the day in June 1999 when the US Supreme Court ruling known as the *Olmstead v. L.C. (Olmstead)* decision confirmed the rights of adults with disabilities to live in their communities. But despite that mandate, the State of Georgia did little to make transitions a reality for people with disabilities. In fact, Wells pointed out, *Olmstead* was not actually implemented, and in some cases, hospitals

became places of abuse, neglect and death instead of support and care.

When an investigation by the Atlanta Journal-Constitution in 2007 revealed more than 100 people died in the state's care, the DOJ and the State conferred with experts in the disability community to address the serious problem. It took a year of negotiating, and in 2010, the DOJ and the State found common ground for implementing Olmstead's directive, including moving people with disabilities from institutions to community-centered environments. The goal was to complete those directives by 2015.

During the intervening years, some progress was made, particularly in the mental health arena, Wells points out. About 2,000 housing vouchers were issued to allow people to move into community and home settings while

pursuing recovery treatment. Peer-support workers were trained to offer follow-up and resources.

“Georgia has been very successful with parts of the settlement agreement, particularly on the mental health side,” said Wells.

However, many adults with developmental disabilities have not fared as well. As the 2015 deadline approached, more than 250 people still resided in state facilities. The biggest hurdle, according to Georgia’s Commissioner of Behavioral Health and Developmental Disabilities Frank Berry, was the lack of strong support networks for those who transitioned into the community, a problem cited as the cause of several deaths.

“Everyone was in agreement about the need for a moratorium because of the tragedies that occurred,” said Wells. “Since the State stopped transitions, there has only

been a trickle of people moving out of the state hospital in Augusta.”

With the issue of support networks still to be addressed, the State failed to meet the requirements of the 2015 deadline. During the last year, the DOJ has been working with Georgia to establish new goals and deadlines to make the State compliant. One of the stumbling blocks has been Georgia’s contention that specifics of how those goals will be met did not need to be part of the agreement, explained Wells.

“However, the DOJ and other friends of the court said they did,” said Wells. “It’s important to have the specifics about the infrastructure and other details in place to show that people not only got out [into the community] but were also successful. And that’s taken a long time. It’s not clear what mechanisms were going on to cause that; as you move further into litigation mode, communication

becomes less. But they [Governor Nathan Deal's office] have been very involved in ensuring that the process moves forward. I think it's important that the settlement agreement concludes during his term."

Before the latest extension, it appeared that the State might wind up back in court, on trial for its lack of compliance. "They'd be given one last extension, and it was clear it would be difficult to get another," said Wells. "But as so often happens right before you get to court, the parties settled."

The New Agreement

The initiatives laid out in the new agreement look promising, said Wells.

"It is our expectation that most of the people still in a hospital setting will return to the community," he said.

"There is a mechanism in place to evaluate if the person is

capable of living in the community, and there's a reformation of support coordination, adding front-line people who will coordinate that support. They'll be in touch with case workers once a month. And a strategic plan for crises services should be in place by 2017."

Those front-line support personnel will have their caseloads capped at 40 and will be required to perform at least one in-person visit each month. The agreement also states that a maximum of four individuals will be permitted to reside in crisis respite homes, and that a more detailed, thorough process of investigating serious incidents will be enacted.

In an interview published in the Atlanta Journal-Constitution, Alison Barkoff, director of advocacy at the Bazelon Center for Mental Health Law in Washington, was quoted as saying, "It's a really serious commitment

from the State to make sure the community system can support all people with developmental disabilities.”

Waivers

But despite the promises of the new agreement, many of the issues being addressed are not new, said Dawn Alford, public policy director for the Georgia Council on Developmental Disabilities (GCDD).

“I’m concerned about those who are in the community and still waiting for services,” she said. “For instance, between June 30, 2016 and June 30, 2018 the State will be required per this agreement to provide a minimum of 675 Medicaid waivers. But the waiting list as of March 31 was 8,457. So 675 does not even address 10% of the waiting list. At that rate, it would take 42 years just to end the current waiting list that grows longer every quarter. And Georgia is not unique in this respect; other states have long lists, too. Surely any progress is good, but it’s

also unacceptable that we have this waiting list that needs to be addressed.”

Medicaid waivers can be critical for adults with disabilities who want to live in community-based environments. The federal program mandates that someone who, for example, requires assistance with daily living activities receive them in an institutional setting, such as a nursing home. But if adults opt to receive those services at home, the federal government does not require states, who administer the programs, to provide waivers.

“Because each state can decide if or how to provide those home or community-based services, you end up with people who want the care but aren’t able to get it,” said Alford.

Though the settlement revolves around a multitude of complex issues, Alford acknowledges that headway is slowly being made.

“Any progress is better than no progress,” she said. “It is positive movement in the right direction, but I wouldn’t go so far to say we’re winning.”

Wells predicts that having a new agreement in place will mean more progress is on the horizon.

“I’m very hopeful that things are going to progress more rapidly now,” he said. “The State has put some good leadership in place around transitions, and it does feel that the pace is picking up. But all of us need to work with the State to ensure this agreement is successful. It’s about people’s lives.”

The Settlement and GNETS

With news that the DOJ agreed to give Georgia more time to address the issue of citizens housed in state facilities, advocates are hopeful that progress will finally be made. But the news is not as good for parents whose children are part of the Georgia Network for Educational and Therapeutic Support (GNETS).

Last July, the DOJ sent the State a letter that outlined a myriad of issues with the GNETS program and demanded that changes be made so the program falls in line with the standards of the Americans with Disabilities Act (ADA). As it currently exists, the program provides inadequate and unequal education for children with behavioral disabilities.

“The DOJ letter basically said, ‘You’re the Olmstead state!’ but it was still only making services available in segregated and inferior settings,” said Leslie Lipson, an attorney with the Georgia Advocacy Office. “It’s been

almost a year, and the State has made almost no real progress about coming into compliance.”

At more than 40 years old, the program has changed very little since its inception. “It’s very antiquated,” said Lipson. “It’s still a totally segregated, inferior education support system that serves about 5,000 students across the State. And every day we get phone calls from parents desperately trying to get their kids out of these places.”

Parents and advocates are appalled that children are being warehoused in facilities without access to resources like learning labs or computers and, in some cases, even teachers. But they’re equally concerned about the downward spiral being in GNETS can create.

“This is also a program with racial disparity,” said Lipson. “Nationally, there’s a theme called disproportionality in special education – the over-

identification of African American students as having emotional disorders but an under-identification of having learning disabilities. You'll also see that more African American boys are being warehoused away from the good things going on in our educational systems. From there comes the idea of the school to prison pipeline because, sometimes, the disability-related behavior becomes criminalized.”

As an example, Lipson offers the scenario of a child who is sensory defensive. “If you put your arms around him, he'll flail and turn away because he feels his space has been invaded. Now he's in a segregated place that has a lot of restraints, and it soon becomes an issue of battery instead of disability.”

“The issue has become so pressing that GCDD plans to study the ramifications as a part of its five-year strategic plan,” said Executive Director Eric Jacobson.

The US Department of Education and the Office on Special Education have done research on kids diagnosed with disabilities having a higher proportion of dropping out of school and ending up in the prison system because we've misdiagnosed them and put them in systems like GNETS," he said. "These are kids with behavioral or emotional issues, often many African American males, who end up going into the prison system."

Several groups have organized to demonstrate their concern about GNETS and to support major changes by the State. Parent to Parent of Georgia (p2pga.org) has built a website with educational materials that have been used to inform lawmakers about the problems.

The Coalition for Equity in Education is another that has requested meetings with the State to discuss solutions, but so far, those requests have been denied. The DOJ,

however, has to be willing to accept input from advocates and stakeholders.

“We’ve had ongoing meetings with the DOJ to talk about what the remedies are,” said Barkoff. “Our coalition has been doing a lot of thinking about ways we’d support a resolution, and we have shared our thoughts on that. But when we asked the State for the same consideration, it declined. We sent a letter first in November that got no response, then we sent another in April and were just recently told they weren’t interested in meeting with us. That was disappointing. The interested and engaged stakeholders absolutely need to have a voice.”

At this time, advocates envision three possible next steps: Georgia could settle the issues to the satisfaction of the DOJ; the State could cease negotiating, and the DOJ could initiate litigation; or negotiations could stop without

any litigation. Barkoff is hopeful that a strong settlement agreement will be reached.

“We have been talking to the DOJ for almost a year and saying, ‘If you aren’t able to reach a settlement, then the next step is litigation,’ ” she said. “We are still at the wait-and-see point, but our coalition has been active on many fronts, and we hope to be at a pivotal point soon.”

If the DOJ does not start legal proceedings against the State, the possibility exists that the Coalition could do so on its own. But Barkoff says the current approach is to give the two parties a bit more time.

“There is a lot of momentum right now, and we are cautiously optimistic,” she said. “We do feel strongly that the State resolve this and have a strong settlement. But meanwhile, the real tragedy is that we’ve had another school year go by in the lives of these kids.”

Possible Next Steps:

Georgia could settle the issues to the satisfaction of the DOJ.

The State could cease negotiating and the DOJ could initiate litigation.

Negotiations could stop without any litigation.

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FEATURE

Georgia Agencies Address Home Accessibility

By Jennifer Bosk

First passed in 1968, the Fair Housing Act (FHA) prohibited discrimination based on race, color, religion and national origin. In 1988, however, the act changed to

include discrimination against people because of a disability.

The accessibility design and construction requirements that came about as a result of the act were created, "... to help design professionals, developers and builders better understand their obligations and help persons with disabilities better understand their rights," explained HUD and the US Department of Justice (DOJ) in a joint statement made upon the act's revision.

FHA pertains to private and public housing called "covered multifamily dwellings," which are buildings that have four or more units and includes all ground floor units and all units in buildings with elevators.

The act specifies design and construction requirements including:

1. Access to the building's entrances.

2. Access to public and common areas.
3. Usable doors and doorways.
4. Access route into and through the dwelling.
5. Control switches and outlets in accessible locations.
6. Reinforced bathroom walls for installation of grab bars.
7. Usable kitchens and bathrooms (wheelchair accessible).

As with any legislation, interpretation of laws and guidelines can often produce a myriad of results. To help in understanding both the policy and design requirements of the act, an initiative called Fair Housing Accessibility FIRST, funded by HUD, was created to promote compliance with the FHA.

Fair Housing Accessibility FIRST began in 2003 and holds 10 trainings a year from April through July across the US, on either the act's policy or design requirements.

In May, 65 individuals including property managers, disability advocates, apartment owners and others gathered for Fair Housing Accessibility FIRST's policy training in Atlanta, GA. The event was sponsored by the Georgia State Financing and Investment Commission, State ADA Coordinator's Office and the State Bar of Georgia Pro Bono Resource Center.

The day's presentations included an overview of the:

- Accessibility requirements of the FHA, including a detailed look at the seven technical requirements listed in the sidebar on the opposite page. Participants received key information and resources needed to successfully understand and comply with the accessibility requirements of the FHA.
- Major disability rights laws and their relationship to the FHA giving participants critical information

regarding the application of multiple accessibility standards, as well as special issues involved in access requirements.

- Information on legal obligations to make accommodations and permit modifications with examples of what may be requested in both multifamily and single family housing, whether newly constructed or older housing, and ideas about strategies to make commonly requested modifications and accommodations.

“We are the only public outreach on FHA training which includes a call center, training program and website,” explained John Ritzu, program manager for the Fair Housing Accessibility FIRST program.

Ritzu added that it has taken a while for the act’s information to filter down to architects and contractors.

“These requirements, approved by Congress, provide for that stage ‘between’ – when someone due to aging, health issues or disability must leave their home and move into a facility that better accommodates their needs. When the act’s requirements are met, it allows people to stay in their home with modifications that now work for them,” explained Ritzu.

He cites the example of apartments built before the 1980s where it was not unusual to find bathroom doors that were 24 inches wide. The standard wheelchair is 26 inches wide.

Marty Collier, coordinator of the SOPOS Coalition (Shut Out, Price Out, Segregated), added, “Our organization has three goals: affordability, accessibility and integration. It’s about inclusion of everyone including those who are aging, those of all races and those with disabilities.”

The conference was very technical and it provided us with more insight to help in talking to developers. It also gave us information, as advocates, to help us monitor housing to make sure it meets the act's requirements," she added.

Collier has noticed that Atlanta's building industry has an increased awareness of the FHA's requirements, especially in new, multifamily housing. She has also observed that, in single family homes which are not covered under the act, builders and renovators are seeing the need to help design homes for people who want to age at home, injured veterans returning from war and other people with mobility challenges.

"Things like zero-step entrances and first-floor bathrooms are being added more often," Collier said.

Fair Housing Accessibility FIRST explains that before engineering, before design and before construction, it is

vital to plan for compliance of the accessibility requirements. It is much easier and cheaper to plan ahead and to build in compliance with the law than to return to retrofit a structure after construction.

Reporting Discrimination:

If anyone feels they have faced or experienced housing discrimination or that the Fair Housing Act's design and construction requirements are not being met, they may file a complaint by contacting HUD's Office of Fair Housing and Equal Opportunity at (800) 669-9777 (voice) or (800) 927-9275 (TTY). Housing discrimination complaints may also be filed by going to www.hud.gov/fairhousing or by downloading HUD's free housing discrimination mobile application. In addition, individuals may contact the Department of Justice at 1-800-896-7743 or they may email DOJ at fairhousing@usdoj.gov.

Voting: Get to Know Your Congressional Candidates

While the country is closely watching the presidential election, it is equally important to pay attention to the other big election – the congressional election.

This year, a total of 469 seats in the US Congress – 34 Senate seats and all 435 House seats – are up for election on November 8, 2016. In Georgia, voters will elect 14 candidates to serve in the US House, one from each of the state's 14 congressional districts. One seat is also up for election for the US Senate.

This election season is an educational opportunity for voters with and without disabilities to become

knowledgeable on local, state and federal issues that are important on a personal level.

Educated Voting

The Elections Division of the Secretary of State's Office organizes and oversees all election activity including voter registration for municipal, state, county and federal elections. Through the website, voters can find out information on the local candidates who will be up for election (<http://sos.ga.gov/index.php/elections>).

Sites such as VoteSmart (www.votesmart.org) provide detailed information on candidates and their issues that affect local communities.

Accessibility

If a voter with a disability is unable to sign his or her name; to see or mark the answers on the ballot; use the voting equipment; or cannot enter the voting booth without support, they may bring someone to help them.

A voter with a disability can receive assistance from any individual EXCEPT his or her employer, representative of his or her employer, a representative of his or her union, or a poll worker or poll watcher who votes in the same precinct where the voter needing assistance is designated to vote. Voters with disabilities can also receive assistance from a trusted person such as a family member or friend. Each individual assisting the voter with a disability must record his or her name on the elector's voter certificate.

Additionally, poll workers are provided training regarding the use of voting equipment, procedures and all aspects of state and federal laws applicable to conducting elections. For voters with disabilities who do not require support from another individual to vote, but require accommodations in the form of assistive technology, there are wheelchair accessible machines with touch screens or audio voting equipment options provided at the polls that

allow more privacy and independence. These options include:

1. An audio ballot for those with visual impairment or who are blind, using headphones and a number keypad similar to an automated phone service.
2. A magnifying feature is available on every touch screen voting unit in Georgia that allows you to enlarge the print on the ballot.
3. Touch screen voting units that allow a voter to vote while sitting in a chair or wheelchair.

Why Are Congressional Races Important?

The House of Representatives (House) and the Senate – the legislative branch – are responsible for making laws that govern the country. Thus, the election of congressmen and women is equally important to the political process.

The Senate has 100 members and is the upper house of the United States Congress. Regardless of the size of its population, each state is represented by two senators who serve six-year terms and both senators from the same state are never up for re-election at the same time.

The House has 435 voting members and five delegates, each serving a two-year term. States are divided into congressional districts, and based on population, each congressional district is represented by one member.

Impact of these races determine what issues the elected officials will support and vote on in bills and amendments that affect a local community, state or the country as a whole. These laws can affect the way the government and local organizations provide services and supports to the community – including those for people with disabilities.

Register to Vote:

<https://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-back-button>

If you registered to vote, tag us on Facebook or tweet to us with “I registered! #VoteDisability!”

Facebook: www.facebook.com/georgiaddcouncil

Twitter: www.twitter.com/georgiacouncil

Election Deadlines to Know:

*General Primary Runoff, Nonpartisan General Runoff
Election and Special Runoff*

Election Date: July 26, 2016

General Election

Election Date: November 8, 2016

Voter Registration Deadline: October 11, 2016

General Election Runoff for Local and State Offices

Election Date: December 6, 2016

Voter Registration Deadline: October 11, 2016

General Election Runoff for Federal Offices

Election Date: January 10, 2017

Important Links from the Office of the Secretary of State:

- Voters with Disabilities:

http://sos.ga.gov/index.php/elections/voters_with_disabilities

- My Voter Page:

<https://www.mvp.sos.ga.gov/MVP/mvp.do>

- 2016 Elections and Voter Registration Calendar:

http://sos.ga.gov/index.php/elections/2016_election_dates

- Register to Vote:

<https://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-back-button>

- Georgia Voter ID Requirements:

http://sos.ga.gov/index.php/elections/georgia_voter_identification_requirements2

- County Board of Registrars:

<http://elections.sos.ga.gov/Elections/countyregistrars.do>

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FEATURE

What's Next for Georgia's ABLE Act?

On May 3, 2016, Governor Nathan Deal signed into law the Achieving a Better Life Experience (ABLE) Act, making financial security for people with disabilities a reality in the State of Georgia.

The law became effective on July 1, 2016, and will create the Georgia ABLE Program Corporation. The task of the corporation will decide whether to create a separate Georgia ABLE program, join with one or more other states in a consortium of ABLE programs or encourage Georgians to join ABLE programs created in other states. ABLE accounts are opening in various states and Georgia will start to examine and study other state programs to decide which would be the best to serve its constituents.

The task force will evaluate the accounts that are becoming readily available in states such as Ohio, and later on Nevada, Florida, Virginia and more.

Some states will allow for outside residents to participate in their program (such as Ohio) and others will limit the use of ABLE accounts to their residents only.

As the process gets underway for Georgia to bring ABLE accounts to its residents with disabilities, here are some

frequently asked questions on the ABLÉ accounts and what it means for people with disabilities:

What is the ABLÉ Act and an ABLÉ account?

The ABLÉ Act amends the Internal Revenue Code to allow for tax advantaged savings like the 529 higher education savings accounts allowing people with serious disabilities to save for qualified disability expenses without violating the \$2,000 asset limits that apply to eligibility for Medicaid, SSI (Supplemental Security Income) and other benefits programs. Thirty-six states have created the legal authority for ABLÉ account programs.

Who is eligible to open an ABLÉ account?

People who have a serious disability and receive SSI or who meet similar criteria (certified by a physician) are eligible, if the disability had an onset prior to age 26.

What are “qualified disability expenses?”

Qualified disability expenses include education, employment, training and supports, housing, transportation, health and wellness, personal support services, financial management and administrative services, legal fees, funeral and burial expenses.

Why do people with disabilities need an ABLE account?

In order to work and live as independently as possible in the community, an individual needs a savings account with more than \$2,000 in order to pay if the car breaks down, to secure job coaching, provide for personal assistance, provide for a security deposit for an apartment, secure adaptive transportation, etc. ABLE accounts are another tool for people with disabilities. It allows them to save more without violating the asset limits imposed by federal and state benefit programs. People can use that savings in qualified ways to support the goal of living as

independently as possible. People may use the ABLE account for long-term savings or more like a checking account. The goal is that the program be available to any qualified person with low costs for startup and maintenance of the accounts. Some individuals may also still want to have a special needs trust or participate in a community pooled trust.

What are the tax advantages and limitations of an ABLE account?

An individual can only have one ABLE account. Contributions to the account can come from the individual's earnings or benefits, from family or friends, etc. However, contributions from all sources combined are limited to \$14,000 per year (the federal annual gift tax limit). Contributions are not tax deductible for federal tax purposes. As passed, the Georgia law does not provide for a tax deduction for state tax purposes. Appreciation in the value of the account and qualified withdrawals from an

ABLE account are tax exempt. Withdrawals that are not for qualified disability expenses are prohibited, are taxed to the beneficiary and carry a 10% penalty.

How much can a person save in an ABLE account?

A person may save up to \$235,000 maximum in an ABLE account in Georgia (the same as the limit on the Georgia 529 higher education accounts). However, when an account reaches \$100,000, a person's SSI check is temporarily suspended until the account goes below \$100,000. Medicaid eligibility is not so limited.

What happens to the account when the beneficiary dies? After the payment of all outstanding qualified expenses, funeral and legal fees, the State Medicaid has a claim for all the money paid by Medicaid on behalf of the beneficiary since the date of the creation of the account. If there are any funds remaining after the state's claim, the rest goes according to the beneficiary's will.

How is an ABLE account held and invested?

ABLE accounts are held by the State in a separate account on behalf of the beneficiaries. The State Treasurer and the ABLE Program Corporation manage the accounts and have the power to decide whether to create a Georgia ABLE Program, to contract with one or more other states to have a program, to enter into a consortium of states for a program, or to refer Georgians to other state programs. As with the 529 higher education savings accounts, ABLE programs are expected to contract with private financial institutions to guide the investment of the funds.

Who pays for the administration of ABLE accounts?

Federal and state law allow the State to pass the cost of maintaining the accounts on to the account holders. State law provides that it is intended that these costs be kept as low as possible.

Who serves on the new Georgia ABLE Corporation?

The corporation is governed by a board of directors consisting of Frank W. Berry, commissioner, Department of Behavioral Health and Developmental Disabilities; Clyde L. Reese III, Esq, commissioner, Department of Community Health; Greg Griffin, state auditor; Teresa MacCartney, chief financial officer, director of the Office of Planning and Budget; Lynnette T. Riley, state revenue commissioner; Steve McCoy, state treasurer; and three directors who shall be appointed by and serve at the pleasure of the Governor, who shall include at least two persons who are persons with a disability, a family member of a person with a disability or a disability advocacy professional. The board shall elect a chairperson from its membership. The state treasurer shall act as administrative officer of the board. A majority of the board shall constitute a quorum, and the acts of the majority shall be the acts of the board.

Resources: Disability Scoop, All About Developmental Disabilities, Georgia Council on Developmental Disabilities

PERSPECTIVES

Georgia's Continued Efforts for People with Intellectual and Developmental Disabilities

By Frank W. Berry

When Governor Nathan Deal asked me to lead the Department of Behavioral Health and Developmental Disabilities (DBHDD) nearly four years ago, it was difficult to fully conceptualize what the next few years would bring. One week, I was the CEO of an organization that delivered behavioral health and intellectual and developmental disability services.

The next week, I was in a federal courtroom, standing across from fellow Georgians who were members of the Amici in a lawsuit against the State. I was the defendant and the person responsible for carrying out one of the most comprehensive settlement agreements of its kind, the 2010 Americans with Disabilities Act (ADA) Settlement Agreement between the State of Georgia and the United States Department of Justice (DOJ).

While the ADA agreement contained challenging goals with aggressive deadlines, it has served as one of the most significant catalysts for service improvement in Georgia's history. DBHDD staff and community providers embraced the goals of the agreement and redesigned our statewide service delivery system with the people we serve at the center of our planning. Governor Deal and the General Assembly matched this commitment by investing substantial resources to support our goals. When the

scheduled end of the agreement came in 2015, court-appointed Independent Reviewer Elizabeth Jones found the State to be in significant compliance with the majority of the requirements, but also identified areas needing continued attention.

On May 27, 2016, after months of negotiations between state officials and the DOJ, Senior United States District Judge Charles Pannell approved an agreement between the two parties, which modified the terms of the original 2010 agreement. The newly adopted “Settlement Extension Agreement” represents a two-year commitment by the State to continue increasing community-based supports for people with intellectual and developmental disabilities, and housing opportunities for people with serious and persistent mental illness.

The extension agreement reflects many elements of DBHDD’s existing strategic priorities and is an

acknowledgement of significant transformations within the state's behavioral health and intellectual and developmental disability service system. The agreement focuses on clinical oversight, support coordination services, provider development, risk mitigation and quality reviews, NOW/COMP waivers and improved transition processes. Embedded in each of these priorities is a commitment to developing provider capacity and quality to support continued transitions from state hospitals into community settings.

DBHDD's focus on integrated, community-based care has created opportunities previously out of reach for many Georgians who once called a state hospital home, and our team's commitment to high-quality care only continues to grow. As I look back to my initial meeting with Governor Deal and my first few months in this role, I am amazed by the progress Georgia has made – progress which has only been possible because of the collaboration between

providers, advocates, families and the State. We are proud of the work by all of our partners that has helped so many of our fellow Georgians. This agreement is a major achievement for the people we serve and a model for what can be accomplished when government, providers, advocates and families come together under a common goal.

Frank W. Berry has served as commissioner of the Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD) since 2012. DBHDD is the state agency that supports people with mental health needs, substance use disorders and intellectual and developmental disabilities.

Implementing the New DOJ Agreement

By Ruby Moore

“Georgia commits to improving the quality of community services for people with I/DD, particularly for people with complex needs.”

The *United States v. Georgia* case has now entered a new phase. The State has committed to taking additional steps to improve its community system for people with intellectual and developmental disabilities (I/DD) in areas where the Department of Justice (DOJ) and Independent Reviewer found the State had not complied with terms of the 2010 Settlement Agreement.

The Developmental Disabilities Network is collaborating with the State to make significant changes to end unnecessary segregation and to make sure people with I/DD live full lives in the community. Georgia Advocacy Office (GAO) helped to negotiate the extension to the 2010 Settlement Agreement to add necessary provisions to address long-standing problems, and the entire DD

Network (Georgia Council on Developmental Disabilities, GAO, Institute on Human Development and Disability and Center for Leadership in Disability) are lending subject matter expertise to the implementation of needed systems reform.

The goal of the “Extension Agreement” is to ensure that all people with I/DD can live and thrive in the community, including people with complex needs. The major steps the State will take to reach this goal include:

- Transitioning individuals with I/DD from state hospitals to the community, using an improved transition process with enhanced post-move monitoring;
- Implementing a “high risk surveillance list” for individuals who have transitioned from state hospitals since 2010 to identify and immediately respond to gaps in services and medical and behavioral risks;

- Creating a statewide clinical oversight program to provide targeted expertise, technical assistance and oversight to community providers, support coordinators and medical professionals who provide services to individuals with I/DD who have complex medical or behavioral needs;
- Improving the state’s support coordination system to ensure that individuals with I/DD are receiving the services and supports they need to live full lives of their choosing integrated into the community;
- Addressing how crisis respite homes will be used;
- Providing new waivers each year of the Extension Agreement to individuals with I/DD on the waiting list; and
- Improving its quality management system and recruiting additional providers to serve people with developmental disabilities and complex needs.

The Extension Agreement has been approved by US District Court Judge Pannell and is court-enforceable. The Independent Reviewer for the 2010 Agreement, Elizabeth Jones, will monitor Extension Agreement implementation.

This agreement will have broad impact on ALL people in the I/DD system, like changes to support coordination and access to the clinical oversight program for anyone with complex needs. Ongoing stakeholder engagement is critical in improving the system. This agreement should also align with other initiatives in the State like the Home and Community-Based Settings (HCBS) rule transition plan and the implementation of the Work Innovation and Opportunities Act – both of which are about more integrated and individualized supports for people with I/DD to live and work in the community.

Ruby Moore is executive director of the Georgia Advocacy Office.

EXPERT UPDATE

Fair Housing for People with Disabilities

By Lynnae Thandiwe

Imagine if builders, developers and providers approached access issues the same as we do for persons without disabilities. The objective is for enjoyment and use. When a person without a disability goes into an apartment complex, there is no question that the expectation is that everything is functional and meets their needs. There is a way to design, develop and serve that provides access and enjoyment to all.

On May 3, Georgia hosted a Fair Housing Accessibility FIRST training to provide practical technical training and support to give people who deal with housing issues the

ability to comply with the law. Knowledge can mean the difference between someone's ability to enjoy and use housing.

The training was created to help design professionals, developers and builders better understand their obligations and help persons with disabilities better understand their rights regarding the “design and construction” requirements for covered multifamily dwellings under the federal Fair Housing Act.

The Fair Housing Act (FHA, the Act) policy reinforces the requirement that multifamily housing is to be designed and constructed so that it is accessible to persons with disabilities.

The guidance was designed to, “assist design professionals, developers and builders in understanding and meeting their obligations and to assist persons with

disabilities in understanding their rights regarding the ‘design and construction’ requirements of the federal Fair Housing Act,” according to the Department of Housing and Urban Development (HUD).

Through the Act came Fair Housing Accessibility FIRST, an initiative designed to promote compliance with the FHA design and construction requirements. The program offers comprehensive and detailed instruction programs, useful online web resources, and a toll-free information line for technical guidance and support.

The Department of Justice (DOJ) and HUD became jointly responsible for enforcing the federal FHA, which prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status and disability.

One of the types of disability discrimination prohibited by the Act is the failure to design and construct covered multifamily dwellings with certain features of accessible design. The Act requires that covered multifamily dwellings be designed and constructed with the following accessible features:

- The public and common use areas must be readily accessible to and usable by persons with disabilities;
- All doors designed to allow passage into and within all premises of covered dwellings must be sufficiently wide to allow passage by persons with disabilities, including persons who use wheelchairs;
- All premises within covered dwellings must contain the following features:
 - An accessible route into and through the dwelling unit;

- Light switches, electrical outlets, thermostats and other environmental controls in accessible locations;
- Reinforcements in bathroom walls to allow the later installation of grab bars;
- Usable kitchens and bathrooms such that an individual using a wheelchair can maneuver about and use the space.

For housing to become more accessible through accommodations and modifications can start in looking at the accessible route requirement.

According to the FHA, an accessible route is defined as, “a continuous unobstructed path connecting accessible elements and spaces in a building or within a site that can be negotiated by a person with a severe disability using a wheelchair, and that is also safe for and usable by people with other disabilities.”

The guidelines also require an accessible pedestrian route, within the boundary of the site, from vehicular and pedestrian arrival points to the entrances of covered buildings and dwelling units, except in very limited circumstances.

These accommodations translate into the following seven requirements and how meeting these requirements can provide basic equal access:

- Requirement 1 Accessible building entrance on an accessible route.
- Requirement 2 Accessible and usable public and common use areas.
- Requirement 3 Usable doors.
- Requirement 4 Accessible route into and through the covered dwelling unit.
- Requirement 5 Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.

- Requirement 6 Reinforced walls for grab bars.
- Requirement 7 Usable kitchens and bathrooms.

Compliance with these accessibility features allows for access and enjoyment to a person with a disability in the community, and HUD and DOJ provide additional guidance in what compliance with each of these requirements looks like.

Fair Housing Accessibility FIRST: For further information and technical assistance, visit www.FairHousingFirst.org

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MIA'S SPACE

Community Builders Make Space for Everyone
By Pat Nobbie, PhD

Last issue, I wrote about how engagement in the same activities that everyone else engages in – work, school, leisure, sports, worship – is more likely to ensure safety and well-being for people with disabilities than formal programs ever could.

In June, the Georgia Council on Developmental Disabilities (GCDD) received the Full Community Inclusion award at the American Association for Intellectual and Developmental Disabilities (AAIDD) conference for the Real Communities initiative. Let me connect some dots to close the circle.

Real Communities began as a gleam in Eric Jacobson's eye. He had been reading John McKnight, Mike Green, U Theory, and he took the staff on retreat to discuss changing our grant making efforts toward asset-based community development and a broader vision of

inclusion. Our first reaction was bafflement. We had not read what he had read or talked to the people he had talked to. We asked Council members to fund a study year to catch up. We visited other communities trying out these new ideas, held mini conferences to bring people together and gradually operationalized these ideas.

We hired a “community organizer” who didn’t have background in intellectual and developmental disabilities (I/DD), but instead a social justice orientation. Caitlin Childs was relatively young, relatively unschooled in service structures for people with disabilities, but she intuitively understood the essence of supporting people to belong.

We were awarded a grant that went outside typical federal parameters to focus on community instead of people with I/DD specifically. We funded initiatives communities cared enough about to act on, instead of what WE thought they should do. Our only requirement was that they had to

include people with disabilities in the projects. We paid local community builders to guide the work. Again, we found more success with people who were community members with no preconceptions about what people could or could not do.

The things that started happening were the stuff of typical life in the community. Not “special” and that was the point. Over the course of Mia’s life, I have, like most parents, wavered between wanting everything any system will give me to wanting a life for her that was just like everyone else’s. I guess right now we have about the best balance we could have – enough “system” to support her daily routines, a great job and a family with a lifetime commitment to her. And lots of typical.

Real Communities is the manifestation of new thinking that is also as old as community itself. Real Communities will ensure access to everything else this issue covers –

travel and recreation, housing, financial security. This is the point of Olmstead. This is what Centers for Medicare and Medicaid Services means by “home and community-based.” It is important to tell this story and Councils should fund that effort. There are no better authors than the community builders themselves. Caitlin; Teri, Johnny, Jessica and Barry; Basmat, Jenna and Suliamon; Betty, Dorinda, Stacey, Laura and Shelva; and the new community builders -- these folks forge and facilitate relationships and make space for everyone.

People who had lived on the margins became members. Membership is inclusion. Inclusion is belonging.

Belonging keeps you safe. Dots connected. Circle closed.

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REAL COMMUNITIES

Real Communities Learning Tour Showcases Inclusion and Community

The Georgia Council on Developmental Disabilities (GCDD) Real Communities hosted a Learning Tour in mid-April that consisted of 10-12 individuals from different states and organizations who are connected to people with disabilities in various capacities.

The goal of the tour was to create a place to share, learn, ask questions, create together, socialize and reflect about ways in which participants can take what they learned back home to create or support similar initiatives in their home communities.

Kyle Bartlett, innovation and design specialist with The Arc of Rensselaer County in Troy, NY, came to Atlanta for the learning tour. “We are seeking out new learning

opportunities and how we can focus on disabilities and work together as a community.”

Participants got an overview of the values, practices and principles of Real Communities while traveling to Real Communities sites, so that they could see the work firsthand.

In the metro area, Dorinda Tatum with Georgia For Alternatives to the Death Penalty spoke about its partnership with the GCDD to protect the rights and dignity of those on death row while ensuring the protection of individuals with developmental disabilities from unjust application of death penalty laws. In Clarkston, visitors met with Basmat Ahmed who spoke about the Clarkston Relationship Building Group.

The group also toured sites in Macon (Centenary United Methodist Church, Roving Listeners); Savannah (Forsyth Farmers’ Market, Mixed Greens); and LaGrange, home of

the newest Real Communities site for Dependable Affordable Sustainable Housing (DASH).

Sumaya Karimi, Real Communities organizing director, said, “In Macon, we got to see how churches can play a role in community building and also bring people with and without disabilities together. The church made a space for those diagnosed with autism that has different sensors. And now, people with disabilities can come to the church and be a part of the community. So those are some of the examples that can be multiplied in other places.”

The tour lasted for three days around the State and had a lasting impact on those who attended.

“Ideas like Roving Listeners were simple projects that would really help us connect with the intellectual and

disability community in our area,” said Bartlett. “These efforts can enrich lives in our entire community.”

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STRAIGHT TALK

How Travel Became Important to Me

By Peter An

My name is Peter. My parents came to America from Korea and I grew up speaking Korean. I am 24 now. In school, I was in Special Education because I didn't want to learn what I was not interested in.

I am interested in drawing, dinosaurs, music videos, Disneyland and traveling. When I was little I did not like to go to the mall or other public places. The noise was too much and I didn't understand the rules that other people lived by. I could not understand their expressions and know what they were thinking. Life seemed very chaotic

and I just wanted to withdraw and live in my own world away from other people, who made demands on me that I could not understand. Life was frightening and this showed in my drawings.

When I was young my parents took my sister and me camping. I liked this. Nature is beautiful and I was comfortable away from other people and their expectations. Later they put me in a one-week summer camp at a state park. I did this several years. It was like camping, but you stayed in a cabin and the other campers were okay. My parents took me to Disney World in Florida and I loved it. I did not mind the crowds. It was a place of fun and I have enjoyed all the Disney stories on video, and learned to sing all the parts. My English became much better.

At age nine, my parents placed me in the Wheat Mission on Saturdays. This is a program for Korean-Americans

with disabilities. At first I did not want to participate with the other people – the music was too loud and I was always being asked to do something, so I stayed by myself in a separate room drawing. I didn't like speaking to others or looking at them. But I met a man there who looks like Santa Claus and who spends time with me and listens to me most every Saturday. I show him my drawings and we read together. I can read much better now and my drawings have developed. I can understand him.

I love my family too. My parents put me in swimming classes and I represent the United States in the International Special Olympics where I have won many medals. I love to travel. It is so exciting.

It is exciting to travel by airplane in the clouds but I also enjoy riding in cars and watching the landscape. I like staying in new places and eating different food. There are so many new things to see and do when I travel, and I

even can meet new people now without shutting them out.

I have been to South America and all around the United States. Santa and I went to Disneyland in California two years ago. I went to breakfast on my own and can now shop when I am with someone. I learned to count money and tell time. I am an altar boy with my father at church. My mom made a greeting card business for me and I made \$1,000 last Christmas. I want to sell my art and live in a house of my own. Next summer I want to go back to Disney World and wear my Jungle Joe costume. Life is fun now and more understandable.

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CALENDAR

July

July 14 – 15

GCDD Quarterly Meeting, Atlanta, GA

www.gcdd.org

July 18 – 20

The Arc National Conference of Executives (NCE) 2016

Summer Leadership Institute, Palm Springs, CA

<http://nce-sli.org/about/>

July 19

National Disability Leadership Alliance

Organizer's Forum

Virtual / Call-in: <http://bit.ly/2947GNt>

July 23

15th Annual ADA Memorial

Gainesville, GA

<http://www.adamemorial.org/index.php>

July 23

Twitter Chat for Disabled Writers

Virtual / Online

<https://disabilityvisibilityproject.com/>

July 25 – 28

2016 Annual Conference on Independent Living,

Washington, DC

www.ncil.org

July 26

ABLE Act Implementation Discussion with Marty Ford, 1

PM, AADD Offices, 125 Clairmont Ave, Suite 300,

Decatur, GA 30030, hosted by The Arc of the US, ARC

Georgia, AAIDD

July 27

Zot Artz Inclusive, All Abilities Art Fair

Americus, GA

<http://bit.ly/295aU6d>

July 28 – 29

National Council on Disability

Council Meeting, Minneapolis, MN

<https://www.ncd.gov/events>

July 31 – August 2

2016 Reinventing Quality Conference

Baltimore, MD

www.reinventingquality.org/upcoming/

August

August 1 – 5

Assistive Technology in New Hampshire

Assistive Technology Workshop

Concord, NH

<http://bit.ly/1WbzvVQ>

August 9 – 12

National Council of Qualified Disability Professionals,

2016 Annual Conference

Louisville, KY

<http://bit.ly/1KcPM8v>

August 11 – 12

Institute on Disability

2016 Conference on School Culture, Climate and
Positive Behavior Support

Bedford, NH

<http://bit.ly/293yL17>

August 16 – 19

World Congress on Special Needs Education,
Philadelphia, PA

www.wcsne.org

August 26 – 28

People First of Georgia 2016 Annual Conference, Jekyll
Island, GA

<http://bit.ly/29aW7ox>

August 28 – Sept 3

2016 International DeafBlind Expo

Orlando, FL

<http://internationaldeafblindexpo.com/>

September

September 9 – 10

24th World Congress on Learning Disabilities

London, England, UK

<http://ldw-conferences.org/>

September 16 – 18

Abilities EXPO, Boston, MA

<http://www.abilities.com/boston/>

September 20 – 24

American Academy for Cerebral Palsy
and Developmental Medicine, 70th Annual Meeting,
Hollywood, FL

<http://www.aacpdm.org/meetings/2016>

October

October 1

2016 Annual Conference National Association for Down
Syndrome

Rosemont, IL

<http://www.nads.org/grid-view/>

October 11 – 13

Georgia APSE Annual Conference

Athens, GA

<http://bit.ly/29680bZ>

October 12

Leading Practice in Disability Inclusion

Interactive Virtual Learning Forum

Online

<http://bit.ly/2932E5H>

October 13 – 14

GCDD Quarterly Meeting, Atlanta, GA

www.gcdd.org

October 19

Georgia Disability History Alliance Symposium, Athens,
GA

<http://bit.ly/295Vqcq>

Planning an upcoming event?

Send your information to GCDD Public Information

Associate and Social Media Coordinator Jhai James

jhai.james@gcdd.ga.gov; Subject line: “Community Calendar” by August 15 to be included in the calendar. Visit GCDD’s expanded online community calendar to view additional local events at www.gcdd.org/calendar.

Calendar Highlight:

People First of Georgia 2016 Annual Conference

August 26 – 28

Jekyll Island, GA

For more information visit: <http://bit.ly/29aW7ox>

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RESOURCES

For additional information about the articles and issues

in this edition of Making a Difference magazine, consult the following resources.

Georgia Council on Developmental Disabilities

(GCDD) www.gcdd.org 404.657.2126 or 888.275.4233

(ASK.GCDD)

State Government

Georgia Senate & House of Representatives

www.legis.state.ga.us

Georgia Governor's Office

www.gov.state.ga.us

404.656.1776

Department of Community Affairs

www.dca.ga.gov

Georgia Housing Search

www.georgiahousingsearch.org

877.428.8844

Department of Labor

www.dol.state.ga.us

General Information

www.georgia.gov

Georgia Lieutenant Governor's Office

www.ltgov.georgia.gov

404.656.5030

In The News

ABLE Act Becomes Law

www.ablenrc.org/news/able-act-now-law-georgia

Local Entrepreneurs Design Mobile App to Rate
Accessibility

www.paraperks.com

Around GCDD

GCDD Receives Full Inclusion Award at AAIDD
Conference

www.aaid.org

Update on GCDD's Five Year Plan

Georgia Council on Developmental Disabilities

www.gcdd.org

Are We There Yet? Traveling Well with a Disability

General Travel, World Travel and Travel Agents

- Accomable: www.accomoble.com
- DisabledTravelers.com: www.disabledtravelers.com
- Disabled Traveler's Guide to the World:
www.disabledtravelersguide.com
- Emerging Horizons: www.emerginghorizons.com
- Independent Traveler:
www.independenttraveler.com/travel-tips/senior-travel/disabled-travel
- The Guided Tour: www.guidedtour.com
- Society of Accessible Travel and Hospitality (SATH):
www.sath.org
- Sprout: gosprout.org/vacation-programs
- TravelGuides.org: www.travelguides.org
- Travel on the Level:

www.travelonthelevel.blogspot.com

- Wheelchair Traveling: www.wheelchairtraveling.com

Air Travel

- Air Carrier Access Act:

www.transportation.gov/airconsumer/passengers-disabilities

- The Arc – Wings for Autism:

www.thearc.org/wingsforautism

- Disability hotline 1.800.788.4838 (voice) or 1.800.455.9880 (TTY)

- TSA Cares: 855.787.2227

- TSA notification card: www.tsa.gov/travel/special-procedures

- TSA Precheck®: www.tsa.gov/tsa-precheck

Bus Travel

- Greyhound: www.greyhound.com/en/help-and-info/travel-info/customers-with-disabilities

- GotoBus: www.gotobus.com/specialassistance

- Megabus: us.megabus.com/passengers-with-

disabilities.aspx

Road Travel

- Accessible Journeys: www.disabilitytravel.com
- Curb Free with Cory Lee:
www.curbfreewithcorylee.com
- Georgia State Parks Annual Guide:
www.gastateparksdigital.com
- World on Wheelz: www.worldonwheelz.com

What the NEW DOJ Settlement Means for Georgia

US Department of Justice

www.justice.gov

Atlanta Legal Aid Society

www.atlantalegalaid.org

Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD)

www.dbhdd.ga.gov

Georgia Agencies Address Home Accessibility

Fair Housing Accessibility FIRST

www.fairhousingfirst.org

Fair Housing Act (FHA)

portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/yourrights

HUD's Office of Fair Housing and Equal Opportunity

www.hud.gov/fairhousing 800-669-9777

State of Georgia ADA Coordinator's Office

www.ada.georgia.gov

Voting: Get To Know Your Congressional Candidates

Georgia Secretary of State: My Voter Page

www.mvp.sos.ga.gov/MVP/mvp.do

County Voter Registration

sos.georgia.gov/cgi-bin/countyregistrarsindex.asp

County Board of Registrars

elections.sos.ga.gov/Elections/countyregistrars.do

Georgia Department of Driver Services

[www.dds.ga.gov/drivers/dldata.aspx?con=1749371755&t
y=dl](http://www.dds.ga.gov/drivers/dldata.aspx?con=1749371755&t
y=dl)

Voters with Disabilities

sos.ga.gov/index.php/elections/voters_with_disabilities

2016 Elections and Voter Registration Calendar

sos.ga.gov/index.php/elections/2016_election_dates

Register to Vote

[registertovote.sos.ga.gov/GAOLVR/welcome.do#no-
back-button](http://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-
back-button)

Georgia Voter ID Requirements:

[sos.ga.gov/index.php/elections/georgia_voter_identificati
on_requirements2](http://sos.ga.gov/index.php/elections/georgia_voter_identificati
on_requirements2)

What's Next for Georgia's ABLE Act?

ABLE National Resource Center

www.ablenrc.org/news/able-act-now-law-georgia

Georgia General Assembly

[www.legis.ga.gov/legislation/en-
US/Display/20152016/HB/768](http://www.legis.ga.gov/legislation/en-
US/Display/20152016/HB/768)

Perspectives

Georgia Department of Behavioral Health and
Developmental Disabilities (DBHDD)

www.dbhdd.ga.gov

Georgia Advocacy Office

www.thegao.org

Expert Update

Fair Housing Accessibility FIRST

www.fairhousingfirst.org

Georgia Department of Community Affairs

www.dca.ga.gov/main/FairHousing.asp

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www.facebook.com/georgiaddcouncil

Follow us on Twitter at www.twitter.com/georgiacouncil

We want to hear from you!

Georgia Council on Developmental Disabilities

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